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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT SEATTLE

11 T.T., by and through his guardian ad litem, T.M.,

12 Plaintiff,

13 v.

14 BELLEVUE SCHOOL DISTRICT, a
15 Washington municipal Corporation,

16 Defendant.

CASE NO. C08-0365-JCC

MINUTE ORDER

17 The following Minute Order is made by direction of the Court, the Honorable John C.
18 Coughenour, United States District Judge:

19 This matter comes before the Court on Defendant School District's Motion for Order Allowing
20 the Filing of an Overlength Brief (Dkt. No. 28). Pursuant to local rule, a reply brief to a motion to dismiss
21 "shall not exceed twelve pages." Local Rules W.D. Wash. CR 7(e)(3). A motion seeking approval to file
22 an over-length brief is "disfavored" and must be made at least three judicial days before the underlying
23 brief is due. Local Rules W.D. Wash. CR 7(f).

24 Defendant's Reply brief, filed on February 13, 2009, is twenty pages long, (*see* Dkt. No. 29),
25 which is eight pages in excess of the length permitted by local rule. Defendant's motion to file an
26 overlength brief was not filed in advance, and instead was filed on the same day it filed the overlength

1 reply brief. (*See* Dkt. Nos. 28 & 29.) Defendant requests permission to file the overlength brief because
2 its counsel “had no reasonable opportunity to edit and shorten” the reply brief due to the fact that he was
3 out of the office on sick leave from February 9, 2009, until February 12, 2009. (Mot. 2 (Dkt .No. 28).)
4 Defendant states that the short time its counsel had to respond to Plaintiff’s opposition and the numerous
5 issues that need to be discussed, justify the allowance of an overlength reply brief. (*Id.* at 3.)

6 The Court declines to permit Defendant to file its excessively-long reply brief. However, given
7 defense counsel’s sickness, the Court will provide defense counsel with a reasonable opportunity to edit
8 and shorten the reply brief to comply with the local rules. Accordingly, Defendant’s motion (Dkt. No. 28)
9 is DENIED, and Defendant is hereby directed to RE-FILE its reply brief, not to exceed twelve pages, by
10 February 20, 2009.

11 DATED this 17th day of February, 2009.

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13 BRUCE RIFKIN, Clerk of Court

14 By /s/ C. Ledesma
15 Deputy Clerk
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